6129628/2022/SEC-IV-EFS01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Andhra Pradesh Forest Department - Departmental Proceedings initiated against Sri C. Lakshmipathi, Deputy Range Officer (Retd.) under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 – Expired on 09.05.2021 – Further action abated – Orders – Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (Sec.IV) DEPARTMENT

G.O.Ms.No.47 **Dated:14.07.2022**

Read the following:-

1)From the Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Hyderabad, Letter Ref.No16127/2010/K1, dated 16.02.2014.
2)Memo.No.1394/For.IV/A1/14, EFS & T (Sec.IV) Dept., dated 05.11.2014.
3)From the Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Hyderabad, Letter Rc.No.16127/2010/Vig-2 (ii), dated 02.02.2015.
4)Letter.No.1394/For.IV/A1/2014, EFS & T (For.IV) Department, dated 31.07.2018.
5)From the Secretary, APPSC, Letter No.498/DC&C/2018, dated 07.10.2020.
6)Memo.No.1394/For.IV/A1/2014, EFS & T (For.IV) Department, dated 02.02.2021.
7)From the Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Guntur, Letter Ref.No.16127/2010/A&DC-1 (ii), dated 17.08.2021.

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ORDER:

In the letter 1st read above, the Principal Chief Conservator of Forests & Andhra Pradesh, Hyderabad has informed that the following (3) Articles of Charges were issued to Sri C. Laxmipathy, Deputy Range Officer by the Conservator of Forests, Ananthapuram Circle, under Rule 20 of A.P.C.S. (CC & A) Rules, 1991:-

1. Rc.No.3719/2004/M2, dated 13.10.2006

Article–I:-"That Sri. C.Lakshmipathi, Deputy Range Officer, Karvetinagar Section has committed certain financial irregularities by recording excess measurements in the M.Book and incurring expenditure without execution of certain works in Karvetinagar section of Karvetinagar Range during 2003-04 resulting in excess charging of Government funds to a tune of Rs.6,80,269/- over and above the actual work done. Further he has not signed most of the M.Books depicting his malafide intentions."

Article–II:-"That during the aforesaid period and while functioning in the aforesaid office the said Sri.C.Laxmipathy, Deputy Range Officer, has disobeyed the orders of superior officers, though he was specifically instructed in writing to rectify the shortfall of works pointed out by the Forest Range Officer, Karvetinagar, he has not responded and disobeyed the orders of superior officers".

[P.T.O]

2. Rc.No.3719 (i)/2004/M2, dated 13.10.2006

Article–I:"That the said Sri.C.Laxmipathy, Deputy Range Officer, while functioning as Deputy Range Officer at Karvetinagar Section has neglected his duty in the works and caused a loss to the Government to a tune of Rs.2,95,007/-"

Article–II:"While functioning in the aforesaid office, Sri. C.Lakshmipathy, Deputy Range Officer has incurred excess Government funds to a tune of Rs.98,234/- and allowed for misappropriation of Government funds to a tune of Rs.1,96,773/-. Thus totally an amount of Rs.2,95,007/- was charged excess during his tenure."

3. Rc.No.2029 (a)/2004/M2, dated 13.10.2006

Article –I:"That the said Sri.C.Laxmipathy, Deputy Range Officer, while functioning as Deputy Range Officer during the period from 4-2-2004 to 31-03-2004 has neglected his duty in executing the works allotted to him. The rice allotted for work was not accounted."

Article –II:"That the said Sri.C.Laxmipathy, Deputy Range Officer, during the aforesaid period and while functioning in the aforesaid office, has charged excess amount of Government funds over and above the actual work done to a tune of Rs. 66,747/-"

2. The Charged Officer acknowledged the receipt of Articles of Charges and submitted his explanation on 15.11.2006. The Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Hyderabad has appointed the Conservator of Forests, Ananthapuram Circle as Inquiry Officer and the Divisional Forest Officer, Chittoor East Wild Life Division as Presenting Officer in Rc.No.11146/2005/PXR-3 (i&ii), dated 11.01.2007, for conducting the regular inquiry.

3. The Inquiry Officer & the Conservator of Forests, Ananthapuram Circle has completed the inquiry and submitted his findings in Rc.No.1302/2005/M2, dated 15.06.2010 wherein, the Inquiry Officer has concluded that all the charges levelled against the Charged Officer held proved.

4. The Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Hyderabad has communicated the findings of the Inquiry Officer to the Charged Officer in Rc.No.16127/2010/K5, dated 27.07.2010. The Charged Officer has submitted his further defense statement on 13.09.2010, wherein he has not put forth any new/valid points.

5. The Charged Officer has retired from Government service on attaining the age of superannuation on 31.10.2013. Hence, the disciplinary proceedings are continued under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980.

6. The Governmnt have examined the issue and it has been provisionally decided to impose a punishment of "10% (ten percent) cut in pension for a period of three (3) years, besides recovery of Rs.6,32,119/-", against Sri C. Lakshmipathy, Deputy Range Officer (Retd.) under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980. Accordingly, in Memo., 2nd read above, a

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Show-cause Notice has been issued to Sri C. Lakshmipathy, Deputy Range Officer (Retd.). In the letter 3rd read above, the Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Guntur has informed that the Charged Officer acknolwedged the Show-cause Notice on 06.01.2015 and submitted his further defense statement on 20.01.2015, wherein he has not put forth any new/valid points.

7. In the letter 4th read above, the Secretary, Andhra Pradesh Public Service Commission has been requested to obtain and communicate the concurrence of the Commission on the proposed punishment, for taking further action in the matter.

8. In the letter 5th read above, the Secretary, Andhra Pradesh Public Service Commission has stated that the Commission agreed with the proposal of the Government, to impose a punishment of "10% (ten percent) cut in pension for a period of three (3) years", against Sri C. Lakshmipathy, Deputy Range Officer (Retd.) and advised to recover the amount of Rs.6,76,534/- (i.e., the principal amount of Rs.6,32,119/- + 2% interest 44,415/-).

9. The Government have examined the issue and it has been provisionally decided to impose a punishment of "10% (ten percent) cut in pension for a period of three (3) years, besides recovery of Rs.6,76,534/- (i.e., the principal amount of Rs.6,32,119/- + 2% interest 44,415/-)", against Sri C. Lakshmipathy, Deputy Range Officer (Retd.), under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980. Accordingly, in Memo., 6th read above, a revised Show-cause Notice has been issued to Sri C. Lakshmipathy, Deputy Range Officer (Retd.).

10. In the letter 7th read above, the Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Guntur has reported that Sri C. Lakshmipathy, Deputy Range Officer (Retd.) expired on 09.05.2021.

11. After careful examination of the entire matter, the Government hereby abate further action against late Sri C. Lakshmipathy, Deputy Range Officer (Retd.) in the disciplinary proceedings as per the provisions of G.O.Ms.No.85, Finance & Planning (FW.Pen-1) Department, dated 12.07.1999 and further order that action be taken as per G.O.Ms.No.995, Finance (Pen.I) Department, dated 21.12.2002 for recovery of the pecuniary loss caused to Government Rs.6,76,534/- (i.e. the principal amount of Rs.6,32,119/- + 2% interest as per Clause 4(d) of Article 300 of A.P. Financial Code Volume-I inserted vide G.O.Ms.No.33, Finance (TFR.I) Department, dt.09.02.2006 is Rs.44,415/-) from the DCRG of the deceased Charged Officer, under Rule 9(7) of A.P. Revised Pension Rules, 1980.

12. The Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Guntur shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Principal Chief Conservator of Forests & HoFF, A.P., Guntur. (w.e)
The Legal heirs of late Sri C. Lakshmipathy, Deputy Range Officer (Retd.)
(through Principal Chief Conservator of Forests & HoFF, A.P., Guntur)

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6129628/2022/SEC-IV-EFS01

Copy to:

The Accountant General (A&E), A.P., Vijayawada.
The Director of Treasuries & Accounts, A.P., Ibrahimpatnam.
The Secretary to A.P. Vigilance Commission, A.P. Secretariat, Velagapudi.
The Secretary, A.P. Public Service Commission, Vijayawada.
The OSD to M (Energy, EFS & T, Mines & Geology)
The PS to Special Chief Secretary to Government, EFS & T Department.
SF/SC (Computer No.1218887).

//FORWARDED :: BY ORDER//

SECTION OFFICER